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*Counsel for Defendant Nissei
Electric Co., Ltd.*

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE CAPACITORS ANTITRUST
LITIGATION

Case No. 3:14-cv-03264-JD

MDL No. 2801

THIS DOCUMENT RELATES TO:

ALL ACTIONS

**UNOPPOSED MOTION FOR ORDER
PERMITTING WITHDRAWAL BY
COUNSEL FOR NISSEI ELECTRIC
CO., LTD.**

Hon. James Donato

Hearing: June 14, 2018, 10 a.m.

1 In accordance with Civ. Local R. 11-5 and Cal. R. Prof. Conduct 3-700(c)(1)((d),
2 Counsel for Defendant Nissei Electric Co., Ltd., the undersigned partners, counsel, and associate
3 of Wilmer Cutler Pickering Hale & Dorr, LLP, hereby respectfully request that this Court permit
4 them to withdraw their representation for all purposes and proceedings.

5
6 **BACKGROUND AND CLIENT’S REQUEST FOR WITHDRAWAL**

7 WilmerHale was hired by Nissei Electric Co., Ltd. (“Nissei”, located at 201, Motodate,
8 Hanamaki, Iwate, 025-0061, Japan) on March 17, 2017. Since that time, Counsel have
9 discharged their obligations in connection with *In re Capacitors Antitrust Litigation*, No. 3:14-
10 cv-03264 (“the Litigation”). However, on May 6, 2018, Nissei wrote to Counsel via an e-mail
11 attachment that Nissei had to “immediately stop” Counsel’s “contract” (representation) of Nissei
12 because of pending bankruptcy. *See* Exhibit A to the Declaration of Margaret O’Grady in
13 Support of WilmerHale’s Unopposed Motion to Withdraw (“O’Grady Decl.”). The e-mail
14 attachment from May 6, 2018, as well as previous communications (and lack thereof) confirmed
15 that (1) Nissei requests and does not object to the withdrawal of Counsel, (2) Counsel is no
16 longer able to effectively represent Nissei, and (3) Counsel has good cause for withdrawal under
17 Cal. R. Prof. Conduct 3-700(C).
18

19 **DOCUMENTS, PAYMENT, AND COOPERATION**

20 Pursuant to Cal. R. Prof. Conduct 3-700(D)(1)-(2), Counsel notes that Nissei has not
21 provided Counsel with any original, non-electronic documents that require return; nor has Nissei
22 paid any compensation to Counsel which it has not earned during employment. Indeed, Nissei
23 has not compensated Counsel for any work performed since October 2017. Counsel will
24 continue to cooperate with Nissei and any other subsequently employed counsel to minimize any
25 possibility of harm. Counsel has no information beyond the information provided in O’Grady
26
27
28

Decl. Ex. A about Nissei's plans or intentions beyond this withdrawal, or if Nissei will hire other counsel.

Dated: May 8, 2018

Wilmer Cutler Pickering Hale and Dorr LLP

By: /s/ Mark D. Flanagan

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